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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,343	11/29/2000	Alfred Jahn	GR 98 P 1824	9402

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EXAMINER

NGUYEN, SIMON

ART UNIT	PAPER NUMBER
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2685

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DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/725,343

Applicant(s)

JAHN, ALFRED

Examiner

SIMON D NGUYEN

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Lupien et al. (5,797,096).

Regarding claim 1, Lupien discloses a registration method for a mobile station in a mobile switching center (abstract), comprising: transmitting the mobile station's identification number to a base station; transmitting the mobile station's identification number and a control information item (control channel mode) from the base station to the MSC for activating a forwarding feature (call) in the switching center; setting up a connection if requesting a connection. (column 1 lines 27-51, column 4 lines 40-55, column 6 lines 1-41, figs.1-3).

Regarding claim 2, Lupien further discloses the base station transmitting its BS-ID (column 6 line 13).

Art Unit: 2685

3. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Joensuu (5,867,788).

Regarding claim 1, Joensuu discloses the mobile station's registration, comprising: transmitting the mobile station's identification number to a base station; transmitting the mobile station's identification number and a control information item (control channel mode) from the base station to the MSC for activating a forwarding feature (call) in the switching center; setting up a connection if requesting a connection (column 3 lines 28-67).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 5, 9, 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lupien et al. (5,797,096) in view of Mahany et al. (5,657,217).

Regarding claim 3, Lupien discloses a registration method for a mobile station in a mobile switching center (abstract), comprising: transmitting the mobile station's identification number to a base station; transmitting the mobile station's identification number and a control information item (control channel mode) from the base station to the MSC for activating a forwarding feature (call)

Art Unit: 2685

in the switching center; setting up a connection if requesting a connection.

(column 1 lines 27-51, column 4 lines 40-55, column 6 lines 1-41, figs.1-3).

However, Lupien fails to disclose an interposed base station to connect between the base station and the switching device.

Mahany discloses a communication system in which a mobile station (66) communicating with a switching device (55) via a base station (58) and an interposed base station (59) (figs.1c, 12-13). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have Lupien, modified by Mahany to establish a connection with a serving base station via an interposed base station (wireless base station) in case of a mobile is out of range of the serving base station.

Regarding claim 5, this claim is rejected for the same reason as set forth in claim 2.

Regarding claim 9, Lupien further discloses the logging on data (location registration) for transferring calls from one base station to another (fig.1).

Regarding claims 11-13, these claims are rejected for the same reason as set forth in claim 3, wherein the communication data wirelessly (wire-free) transmits between base stations and the MSC (see Mahany, figs.12-13).

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lupien et al. (5,759,096) in view of Mahany et al. (5,949,776) applied to claim 3, and further in view of Da Silva et al. (5,781,862).

Regarding claim 4, the modified Lupien does not specifically disclose the steps of generating and communicating the path information between the BSs, the switching center, and the mobile devices.

Da Silva, in the same field of invention, discloses the steps of generating and communicating the path information between a switching center, base stations, and mobile devices (fig.1, column 5 lines 4-45). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have the modified Lupien, modified by Da Silva in order to prevent the disconnection during the change of radio area from one base station to another.

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lupien et al. (5,759,096) in view of Mahany et al. (5,949,776) applied to claim 3, and further in view of Chapman et al. (6,192,231).

Regarding claim 6, the modified Lupien system discloses the call set up (column 1 lines 48-49). However, the modified Lupien system does not specifically disclose a call diversion.

Chapman discloses a communication system including a call diversion (column 5 line 30, column 6 line 18). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have the modified Lupien system, modified by Chapman to provide a call diversion in the system in order to allow incoming/outgoing calls to be transferred from one extension line to another.

Art Unit: 2685

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lupien et al. (5,759,096) in view of Mahany et al. (5,949,776) applied to claim 3, and further in view of Joensuu (5,867,788).

Regarding claim 7, the modified Lupien system discloses the forward feature. However, the modified Lupien system does not specifically disclose the step of changing an assignment.

Joensuu discloses a communication system including the step of changing an assignment between a call number of the mobile number and an internal number of the switching device (abstract, column 5 line 39 to column 6 line 21). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have the modified Lupien system, modified by Joensuu in order to enable routing communication signals to different networks or countries without mandating major changes or impacts.

9. Claims 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lupien et al. (5,759,096) in view of Mahany et al. (5,949,776) applied to claim 3, and further in view of Lu et al. (5,734,979).

Regarding claim 8, the modified Lupien system does not specifically disclose the authorization.

Lu, in the same field of invention, discloses a communication system including authorizing a communication device (column 3 lines 32-47) and wherein the authorized information transferring from one base station to another are well known to one skilled in the art. Therefore, it would have been obvious to

Art Unit: 2685

one skilled in the art at the time the invention was made to have the modified Lupien system, modified by Lu in order to prevent an unauthorized person to access the network.

Response to Arguments

10. Applicant's Declaration Under 37 C.F.4 @ 1.131, filed 6/08/04, with respect to the rejection(s) of claim(s) 1-13 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Simon Nguyen whose telephone number is (703) 308-1116. The examiner can normally be reached on Monday-Friday from 7:00 AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban, can be reached on (703) 305-4385.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-0377.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

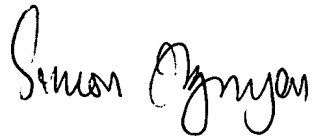
Art Unit: 2685

(703) 872-9314, (for formal communications intended for entry)

Hand-delivered response should be brought to Crystal Park II,
2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Simon Nguyen

September 6, 2004

A handwritten signature in black ink that reads "Simon Nguyen". The signature is written in a cursive style, with the first name "Simon" and the last name "Nguyen" clearly legible.